

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Criminal No. 09-55 (6) (RHK/SER)

Plaintiff,

ORDER

v.

Antione Maurice Easter,

Defendant.

By letter dated March 22, 2012, Defendant seeks relief from his 10-year mandatory minimum sentence. He relies on an amendment to the Sentencing Guidelines effective November 1, 2011, which lowers the base offense levels applicable to cocaine base (crack) offenses. A reduction, however, is not authorized as the amendment does not lower the guideline range because of a statutory mandatory minimum sentence. In addition, the reduced statutory minimum of the Fair Sentencing Act was not made retroactive.

Because the Court cannot reduce Defendant's sentence below the statutory mandatory minimum term of 120 months and because the mandatory minimum of the Fair Sentencing Act were not made retroactive, Defendant's letter request for a reduction of his sentence (Doc. No. 353) is **DENIED**.

Dated: June 19, 2012

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge